



Lincoln Police Department
Thomas K. Casady, Chief of Police
575 South 10th Street
Lincoln, Nebraska 68508

402-441-7204
fax: 402-441-8492

MAYOR CHRIS BEUTLER

lincoln.ne.gov



January 24, 2008

Mayor Beutler and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Beutler and Members of the City Council:

An investigation has been made regarding the application of Hy-Vee, 2343 North 48th holder of liquor license C-68414.

Hy-Vee is closing the store at 2343 North 48th and opening a new store at 1601 North 84th Street.

Hy-Vee requests that the liquor license be transferred to the new location.

Ownership of the company will remain the same and is on file for your review.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



A nationally accredited law enforcement agency



**APPLICATION FOR ADDITION,
DELETION, CHANGE OF LOCATION,
RECONSTRUCTION**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814

Website: www.lcc.ne.gov

FEE \$45.00

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JAN 18 2000

NEBRASKA LIQUOR
CONTROL COMMISSION

LICENSEE'S NAME Hy-Vee, Inc

TRADE NAME Hy Vee 2

PREMISE ADDRESS ~~5820 Westown Pkwy~~ 2343 N 48th St, E

CITY/COUNTY ~~West Des Moines, Polk~~ Lincoln, Lancaster

LICENSE NUMBER 68414

PHONE NUMBER ~~(515) 267-2874~~ 402-467-5505

PLEASE CHECK ONE OF THE FOLLOWING

☐ ADDITION ☐ RECONSTRUCTION ☐ DELETION

☒ CHANGE OF LOCATION (this application will not be accepted if the license is moving into another jurisdiction)

Address From: 2343 N 48th Street, Lincoln, NE 68504

Address To: 1601 N 84th Street, Lincoln, NE 68505

Move to occur on March 18, 2008

- 1) Include a sketch of the proposed area to be licensed (8 1/2 x 11 paper – no blueprints) indicate the dimensions of the area to be licensed and the direction “north” on the sketch
- 2) Submit a copy of your lease or deed demonstrating ownership
- 3) If you do not know what jurisdiction you are located in, call the city or county clerk
- 4) In order to clarify your changes, an attached explanation is always welcome

AFFIDAVIT

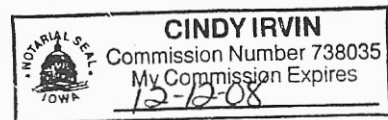
The above reference request, as filed, will comply with the rules and regulations of the Nebraska Liquor Control Act.

Kevin Reeve **KEVIN REEVE**
Signature of licensee **ASST VICE PRESIDENT, CONTROLLER**

Subscribed in my presence and first duly sworn to before me on this 17th day of

January, 2008.

Cindy Irvin
Notary Public signature and seal



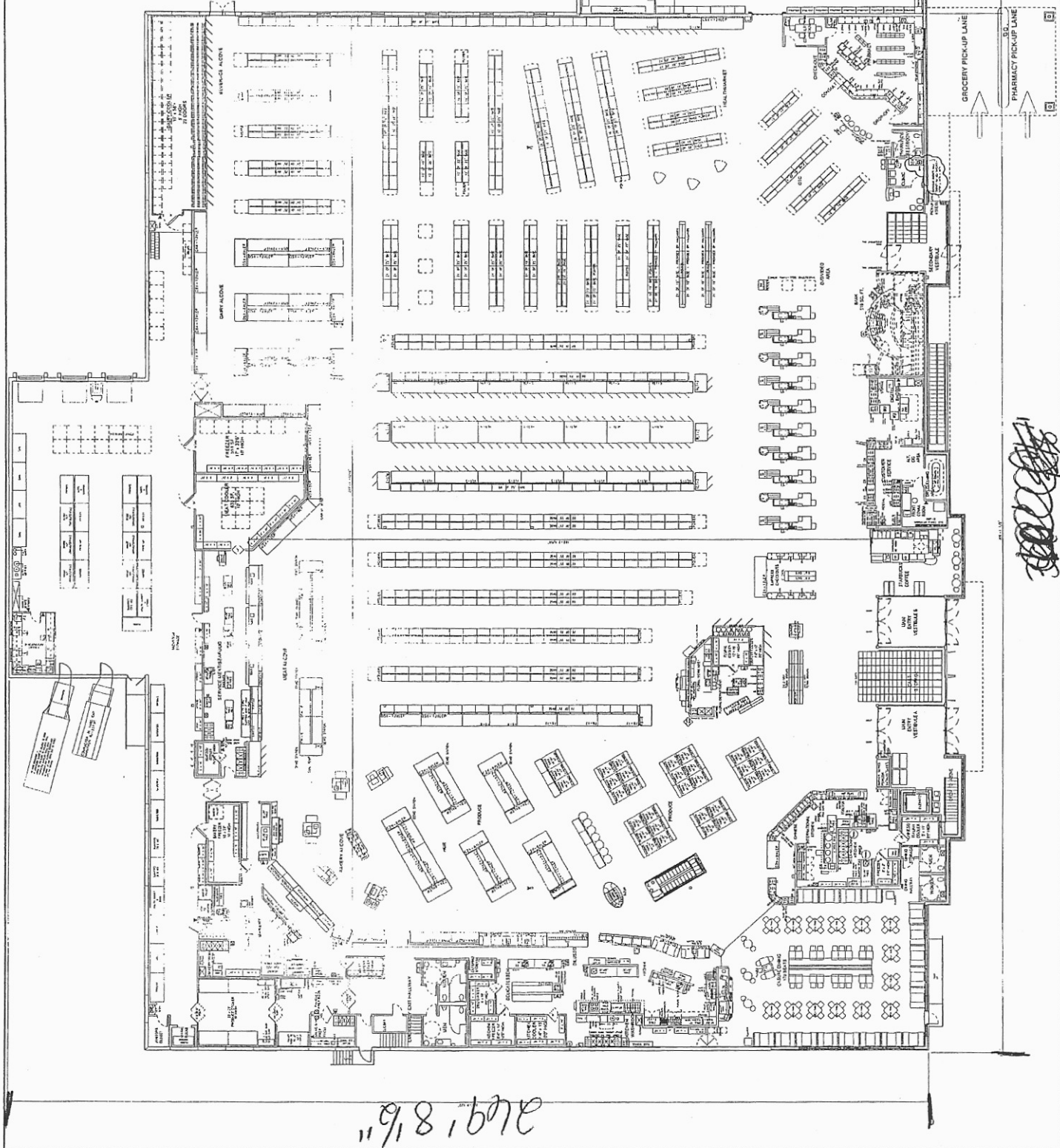
*Bus 1489293
45-mm*

FORM 35-4179

REVISION	DATE	BY	DESCRIPTION
1	10/1/81	W	REVISED
2	10/1/81	W	REVISED
3	10/1/81	W	REVISED
4	10/1/81	W	REVISED
5	10/1/81	W	REVISED
6	10/1/81	W	REVISED
7	10/1/81	W	REVISED
8	10/1/81	W	REVISED
9	10/1/81	W	REVISED
10	10/1/81	W	REVISED

North
→

STORE
FOOTPRINT = 7,689 S.F.
SALES AREA = 22,946 S.F.
LIQUOR
FOOTPRINT = 5,185 S.F.
SALES AREA = 3,697 S.F.



Hy-Vee
LINCOLN #2, NEBRASKA
HY-VEE, INC.
SAPPHIRE CENTER, LINCOLN, NEBRASKA 68505
PHONE: (402) 426-2000
FAX: (402) 426-2005



FIXTURE & EQUIPMENT PLAN

A0.0
DATE: 10/1/81
BY: W
CHECKED: W
APPROVED: W

2491811

360' 3"

6030555
Lincoln #2

NO

BURLEIGHS

Inst # 2007009423 Wed Feb 28 15:57:07 CST 2007
Filing Fee: \$17326.25 Stamp Tax: \$17313.75 cpotsc
Lancaster County, NE Assessor/Register of Deeds Office WDEED
Pages 2



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JAN 18 2008

WARRANTY DEED

NEBRASKA LIQUOR
CONTROL COMMISSION

Abram, LLC a Nebraska limited liability company, GRANTOR, in consideration of one dollar and other valuable consideration received from GRANTEE, Hy-Vee, Inc., an Iowa corporation, conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat.76-201):

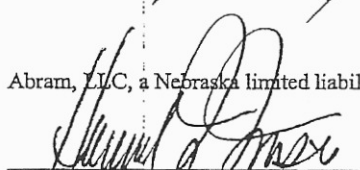
See Attached Exhibit "A"

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances, except for any easements and restrictions now of record;
- (2) has legal power and lawful authority to convey the same; and
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed on this 27 day of February, 2007.

Abram, LLC, a Nebraska limited liability company, GRANTOR


By Howard Misle, Managing Member

STATE OF California)

COUNTY OF Santa Clara)ss

The foregoing instrument was acknowledged before me on this 27 day of February, 2007 by Howard Misle, Managing Member of Abram, LLC, a Nebraska limited liability company.


NOTARY PUBLIC

NTC COMMERCIAL FILE 6030555

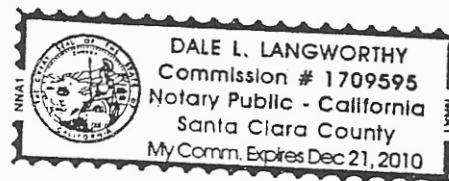


EXHIBIT "A"

A parcel of land composed of a portion of Lots D, E, F, G and H, Burleigh's Subdivision of Lot 30, J.G. Miller's Subdivision of the South Half of Section 20, Township 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster County, Nebraska, and more particularly described as follows:

Beginning at the Northwest corner of said Lot 'G'; thence Easterly along the North line of said Lots 'G' and 'H', on an assumed bearing of South 89 degrees 46 minutes 49 seconds East, a distance of 656.33 feet to the Northeast corner of a portion of said Lot 'H', said point being located on the Westerly Right-Of-Way line of 52nd Street; thence South 00 degrees 07 minutes 02 seconds East, along the Easterly line of a portion of said Lot 'H', and along said Westerly Right-Of-Way line, a distance of 329.71 feet to a point on a South line of a parcel of land as described in Book 677, Page 373, records of Lancaster County, Nebraska; thence North 89 degrees 47 minutes 13 seconds West, along said South line, a distance of 259.41 feet to a South corner of a parcel of land as described in said Book 677, Page 373; thence South 00 degrees 02 minutes 45 seconds East, along an East line of a parcel of land as described in said Book 677, Page 373, a distance of 262.73 feet to the Northerly Right-Of-Way line of 'O' Street, thence North 89 degrees 50 minutes 51 seconds West, along said Northerly Right-Of-Way line, said line being located 70.00 feet Northerly of and parallel with the South line of said South Half, a distance of 336.80 feet to the Southeast corner of a parcel of land as described in Inst. No. 06-18292, records of Lancaster County; thence North 71 degrees 26 minutes 15 seconds West, along the Northeasterly line of a parcel of land as described in said Inst. No. 06-18292, and along said Right-Of-Way line, a distance of 31.66 feet to the Northwest corner of said parcel of land; thence North 00 degrees 05 minutes 46 seconds West, along the Easterly Right-Of-Way line of 50th Street, as described in Book 662, Page 47 and in Inst. No. 06-18292, records of Lancaster County, said line being 30.00 feet East of and parallel with the Westerly line of said Lots 'F' and 'G', a distance of 365.65 feet to the Northeast Right-Of-Way corner of 50th Street; thence North 89 degrees 50 minutes 51 seconds West, along the Northerly Right-Of-Way line of 50th Street, said line being 445.65 feet North of and parallel with the South line of said South Half, a distance of 30.00 feet to the West line of said Lot 'G'; thence North 00 degrees 05 minutes 46 seconds West, along the Westerly line of said Lot 'G', a distance of 217.29 feet to the point of beginning.

WARRANTY DEED

KNOW ALL MEN by these presents that, Northern Lights, L.L.C., a Nebraska limited liability company and Yeutter Family L.L.C., a Maryland limited liability company, herein called the grantor whether one or more, in consideration of One Dollar and other valuable consideration received from grantee, do hereby grant, bargain, sell, convey and confirm unto Hy-Vee, Inc., an Iowa Corporation, herein called the grantee whether one or more, the following described real property in Lancaster County, Nebraska:

Lot 1 and Outlot A, Northern Lights 17th Addition, Lincoln, Lancaster County, Nebraska
-AND- Lot 3, Northern Lights 15th Addition, Lincoln, Lancaster County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments, appurtenances and reservations hereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor does hereby covenant with the grantee and with grantee's heirs and assigns that grantor is lawfully seized of said premises; that they are free from encumbrance **except covenants, easements and restrictions of record; all regular taxes and special assessments, except those levied or assessed subsequent to date hereof;** that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

Executed this 15th day of February, 2007.

YEUTTER FAMILY L.L.C., a Maryland
limited liability company

By: Clayton K. Yeutter
Clayton K. Yeutter, Manager

~~STATE OF~~ District of Columbia)
)ss.
~~COUNTY OF~~ District of Columbia)

The foregoing instrument was acknowledged before me on this 15th day of February, 2007, by Clayton K. Yeutter, Manager of Yeutter Family L.L.C., a Maryland limited liability company, on behalf of the limited liability company.

Carol Solon
Notary Public

CAROL SOLON
NOTARY PUBLIC, DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES OCTOBER 14, 2009

~~COUNTY OF~~ District of Columbia)

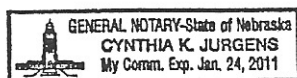
NORTHERN LIGHTS, L.L.C., a Nebraska
limited liability company

By: Thomas E. White
Thomas E. White, Manager

By: John C. Brager
John C. Brager, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF LANCASTER)

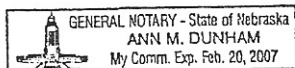
The foregoing instrument was acknowledged before me on this 14 day of February, 2007, by Thomas E. White, Manager of Northern Lights, L.L.C., a Nebraska limited liability company, on behalf of the limited liability company.



Cynthia K. Jurgens
Notary Public

STATE OF NEBRASKA)
)ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me on this 16th day of February, 2007, by John C. Brager, Manager of Northern Lights, L.L.C., a Nebraska limited liability company, on behalf of the limited liability company.



Ann M. Dunham
Notary Public

LIEN AFFIDAVIT AND INDEMNIFICATION

BEFORE ME, the undersigned authority, personally appeared Thomas E. White and John C. Brager, Members of Northern Lights, L.L.C., a Nebraska limited liability company and Yeutter Family, L.L.C., a Maryland limited liability company, who, being first duly sworn, depose(s) and say(s):

1. That the following described property is owned by the undersigned:

Lot 1 and Outlot A, Northern Lights 17th Addition, Lincoln, Lancaster County, Nebraska -AND- Lot 3, Northern Lights 15th Addition, Lincoln, Lancaster County, Nebraska.

2. That the above described property is free and clear of all liens, taxes, assessments, encumbrances, and claims of every kind, nature and description whatsoever, except for the real estate taxes which are not now due and payable.
3. The undersigned as Seller/Owner of the above described property, hereby warrants that I/we are not aware of any survey problems such as encroachments, of fences, driveways, or other improvements onto any adjoining property or any encroachments of fences, driveways, or other improvements from adjoining property onto the above property. The undersigned further represent that they are not aware of any boundary disputes with owners of adjoining property.
4. The undersigned further represent that they have no knowledge of any unrecorded easements or rights of interest by others to the above property nor are they aware of any encroachment of improvements onto easements affecting this property. If there are any exceptions to the above, please itemize. If no exception, please indicate:
- _____
- _____
5. There have been no public improvements affecting the property prior to date hereof that would give rise to a special property tax assessment against the property subsequent to the date hereof, nor has the undersigned received any notice of any pending public improvements.
6. That there have been no improvements, alterations, or repairs to the above described property involving work or materials for which the cost thereof remain unpaid.
7. That there are no unpaid bills for materials supplied or labor furnished for the construction and erection of improvements, including site preparation, on said real estate which would be the basis for a Mechanic's, Materialman's or Construction Lien pursuant to the laws of the State of Nebraska.
8. That the undersigned know(s) of no violation of municipal ordinances pertaining to the above described property.
9. There are presently no parties in possession of the property whose interests do not appear of record in the public records which affect the title to said real estate except: Tenants under currently existing lease agreements.
10. That this Affidavit is made for the purpose of inducing purchaser(s) to purchase subject property from the undersigned and to induce lender to lend and Union Title and its title insurance underwriter to issue title insurance policy.
11. There are no other parties asserting claims adverse to the interest of the fee simple titleholders of record, or claims arising under lease, option, contract, or other instrument purporting to create any interest on the property, not appearing of record.
12. The undersigned jointly and severally agree to indemnify fully and hold harmless the said Union Title and its underwriting company from any loss which either might sustain as a result of any of the foregoing representations being untrue. Such indemnification shall include, but shall not be limited to, all costs and expenses arising from defending against, negotiating, compromising, settling or paying in full any claims against the real estate previously described.

NORTHERN LIGHTS, L.L.C., a Nebraska limited liability company

By: Thomas E. White, Member

By: John C. Brager, Member

YEUTTER FAMILY, L.L.C., a Maryland limited liability company

By: Clayton K. Yeutter, Manager

C16125L

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JAN 18 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

STATE OF Nebraska
COUNTY OF Lancaster

The foregoing instrument was acknowledged before me this ____ day of February, 2007 by
Thomas E. White, Manager of Northern Lights, L.L.C., a Nebraska limited liability company.

Notary Public

STATE OF Nebraska
COUNTY OF Lancaster

The foregoing instrument was acknowledged before me this ____ day of February, 2007 by John
C. Brager, Manager of Northern Lights, L.L.C., a Nebraska limited liability company.

Notary Public

DISTRICT OF COLUMBIA

The foregoing instrument was acknowledged before me this 15th day of February, 2007 by
Clayton K. Yeutter, Manager of Yeutter Family, L.L.C., a Maryland limited liability company.

Carol Solon
Notary Public

CAROL SOLON
NOTARY PUBLIC, DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES OCTOBER 14, 2009